

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CURTIS JACOBSON,

Plaintiff,

v.

CONSUMER PORTFOLIO SERVICES, INC.
and WILLIFORD GRAY,

Defendants.

**MOTION FOR DISMISSAL
WITH PREJUDICE**

Case No. 10-cv-643

Plaintiff, Curtis Jacobson, moves the Court to dismiss this action, with prejudice, on the following grounds:

1. Plaintiff and Defendant Consumer Portfolio Services, Inc. reached a settlement of all claims between them. A copy of the Settlement Agreement and Release is attached hereto as Exhibit A.
2. One provision of the settlement between Plaintiff and Defendant CPS was that Plaintiff's claims against Defendant Williford Gray would also be dismissed.
3. Plaintiff and Defendant Consumer Portfolio Services, Inc. have complied with their obligations pursuant to the Settlement Agreement.
4. On May 2, 2011 Plaintiff provided Defendant Williford Gray with a Stipulation of Dismissal with Prejudice requesting his approval and signature. Plaintiff used the same Stipulation of Dismissal with Prejudice used by these parties in *Dragone v. Consumer Portfolio Services, Inc.*, W.D. of Wis. Case No. 09-CV-167. Plaintiff has not received the signed Stipulation for Dismissal from Defendant Williford Gray but has received a message indicating Mr. Gray sent the signed Stipulation to counsel for Plaintiff by mail yesterday.
5. The Settlement Agreement and Release require Plaintiff to dismiss the case by May 11, 2011 and Defendant CPS would not agree to extend that time, so Plaintiff is filing this motion.

6. Plaintiff and Defendant Consumer Portfolio Services, Inc. have resolved all claims between them and have agreed to dismiss the claims between them with prejudice.

7. Plaintiff moves the Court for dismissal of the claims between him and Defendant Williford Gray with prejudice.

WHEREFORE, Plaintiff moves the Court to dismiss this action with prejudice.

Dated this 11th day of May, 2011.

s/ Mary Catherine Fons

Mary Catherine Fons, SBN 1017000

Attorney for Plaintiff

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